

## AMENDING THE TEXAS CITY DISASTER CLAIMS ACT

JUNE 12, 1956.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FORRESTER, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 11499]

The Committee on the Judiciary, to whom was referred the bill (H. R. 11499) to amend the Texas City Disaster Claims Act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### STATEMENT OF FACTS

Public Law 378, 84th Congress, 1st session, is an act to compensate those who suffered death, personal injury, or property losses as a result of the disaster at Texas City, Tex., on April 16 and 17, 1947.

It provides, among other things, for compensating only those claimants who had already filed claims in a United States district court prior to April 25, 1950.

At the hearings, in 1954, on the legislation which became Public Law 378, it was pointed out that some 6 or 7 years had passed since the disaster, and the committee, in order to prevent the filing of false and bogus claims, restricted the legislation to those claims which had already been filed in the United States district court under the Federal Tort Claims Act. April 25, 1950, was the last day within which claimants were eligible to file claims, under that act, against the United States Government. In drafting the legislation that became Public Law 378, Congress inadvertently used the language "prior to" April 25, 1950, the last day on which claims would be recognized. This action resulted in precluding from the relief which Public Law 378 affords, those who had timely filed their claims under the Federal Tort Claims Act.

The present bill will amend Public Law 378 so as to make eligible those claims filed on April 25, 1950, and will make its provisions con-

sistent with the statute of limitation provisions in the Federal Tort Claims Act.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, there is printed below in roman type existing law in which no change is proposed; present provisions to be stricken are enclosed in black brackets; and new provisions proposed to be inserted are shown in italic.

TEXAS CITY DISASTER CLAIMS ACT

(Public Law 378, 84th Cong., 1st sess.)

\* \* \* \* \*  
SEC. 3. (a) Claimants shall submit their claims in writing to the Secretary of the Army, under such rules as he prescribes, within one hundred eighty days after the enactment of this Act.

No claim shall be entertained by the Secretary of the Army unless it shall appear to his satisfaction that such claim was a part of a civil action filed against the United States in a United States district court [prior to] *on or before* April 25, 1950, except that, for good cause, the Secretary may waive the limitation date of April 25, 1950, where it is shown that claimant, by reason of infancy, insanity, or other legal reason, was unable to bring such civil action.

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